

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR.JUSTICE: R. SUBHASH REDDY

W.P. No.20242 OF 2002

Between:

1. Aruru Eswara Kumar.
2. Yeddala Ramana Reddy.
3. Malli Chinna Guravaiah.
4. Sk. Jilani Begum.
5. K.T. Mohan.

.. Petitioners

AND

1. The Joint Collector, Nellore, Nellore District.
 2. The Revenue Divisional Officer, Gudur, Nellore District.
 3. The Mandal Revenue Officer, Gudur Mandal, Nellore District.
 4. The Special Deputy Collector, I.J.M. Office, Budanam, Chillakur Mandal, Nellore District.
 5. National High Ways Authority of India rep. by its Project Director, Nellore.
- (R5 is impleaded as per Court Order dt.11-3-04 in WPMP 5342/04)

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or direction declaring the action of the respondents in proposing to demolish the buildings of the petitioners and widen the road N.H.5 in the site of the petitioners covered by S.Nos.1613/2, 1613 part, 1613/3, 1613 and 1612 of East Gudur, Potupallem Village Gudur Mandal, Nellore District without acquiring the same and without paying the compensation to the petitioners as illegal and arbitrary and consequently direct the respondents to pay the compensation to the petitioners to the structures and the site forthwith.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and the High Court order dated 11-10-2002 made in WPMP No.25397 of 2002 and upon hearing the arguments of Mr.P. Gangarami Reddy, Advocate for the Petitioners and the Govt.Pleader for Revenue on behalf of the Respondent Nos. 1 to 4 and of Mr. S.S.Varma, Advocate for the Respondent No.5.

THE COURT MADE THE FOLLOWING ORDER:

“It is represented by the learned Counsel for the petitioners that so far as petitioners 2 to 5 are concerned, they have already received the compensation.

In that view of the matter, the writ petition is dismissed so far as petitioners 2 to 5 are concerned.

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Post the Writ Petition after one week as the G.P. for Revenue seeks time to get instructions about the consideration of the claim of the first petitioner.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Joint Collector, Nellore, Nellore District.
2. The Revenue Divisional Officer, Gudur, Nellore District.
3. The Mandal Revenue Officer, Gudur Mandal, Nellore District.
4. The Special Deputy Collector, I.J.M. Office, Budanam, Chillakur Mandal, Nellore District.
5. The Project Director, National High Ways Authority of India, Nellore.
6. Two CCs to the Govt. Pleader for Revenue, High Court of A.P. Hyderabad.
(OUT)
7. One spare copy.

H.A.

DRAFTED BY : H.A.
COMPARED BY:

HIGH COURT

RSRJ

DATED: 17-03-2004

NOTE : POST THE WP
AFTER ONE WEEK.

ORDER :

W.P No.20242 OF 2002

DIRECTION